

AN ORDINANCE 2006-06-29-0822

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.

* * * * *

WHEREAS, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of 679.722 acres out of NCB 17993, NCB NCB 17992, NCB 12877, NCB 12867 and NCB 35098 from "C-3" General Commercial District, "C-2" Commercial District, "R-5" Residential Single Family District "R-4" Residential Single Family District and "MF-33" Multi-Family District to "UD" Urban District.

SECTION 2. A description of the property is attached as Exhibit "A" and made a part hereof and incorporated herein for all purposes.

SECTION 3. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

SECTION 4. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 5. This Ordinance shall become effective on July 9, 2006.

PASSED AND APPROVED this 29th day of June, 2006.

ATTEST:

Lucia M. West
City Clerk

For M A Y O R

APPROVED AS TO FORM:

Jason Qui
For City Attorney

Agenda Voting Results

Name: Z-1.

Date: 06/29/06

Time: 06:43:01 PM

Vote Type: Multiple selection

Description: ZONING CASE #Z2006157 (District 2): An Ordinance changing the zoning district boundary from "C-3" General Commercial District, "C-2" Commercial District, "R-5" Residential Single Family District "R-4" Residential Single Family District and "MF-33" Multi-Family District to "UD" Urban District on 679.722 acres out of NCB 17993, NCB 17992, NCB 12877, NCB 12867 and NCB 35098, at Southwest corner of IH 10 and Foster Road as requested by Kaufman & Associates, Inc., Applicant, for Rosillo Creek Development, Ltd., Owner(s). Staff recommends Approval. Staff and Zoning Commission recommend Approval.

| Voter | Group | Status | Yes | No | Abstain |
|--------------------------|-------------|-------------|-----|----|---------|
| ROGER O. FLORES | DISTRICT 1 | Not present | x | | |
| SHEILA D. MCNEIL | DISTRICT 2 | | | | |
| ROLAND GUTIERREZ | DISTRICT 3 | | x | | |
| RICHARD PEREZ | DISTRICT 4 | | x | | |
| PATTI RADLE | DISTRICT 5 | | x | | |
| DELICIA HERRERA | DISTRICT 6 | | x | | |
| ELENA K. GUAJARDO | DISTRICT 7 | | x | | |
| ART A. HALL | DISTRICT 8 | | x | | |
| KEVIN A. WOLFF | DISTRICT 9 | | x | | |
| CHIP HAASS | DISTRICT_10 | | x | | |
| MAYOR PHIL HARDBERGER | MAYOR | | x | | |



Bury+Partners

Consulting Engineers and Surveyors

Z2006157

679.722 ACRE TRACT

FN NO. 50325-05-1

MAY 11, 2006

50325-05TI.DWG

JOB NO. 50325-05.91

FIELD NOTE DESCRIPTION

679.722 ACRES OF LAND LOCATED IN THE CLEMENTE TEXADA SURVEY NO. 13, ABSTRACT NO. 743, NEW CITY BLOCK NUMBERS: 17993, 17992, 12877, 12867, 35098, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 732.322 ACRES TRACT AS CONVEYED TO ROSILLO CREEK, INC. AND DESCRIBED IN VOLUME 6656, PAGE 274, REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS; SAID 679.722 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND $\frac{1}{2}$ INCH IRON ROD MARKING THE NORTHEASTERLY END OF A CUTBACK CORNER LOCATED AT THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF FOSTER ROAD WITH THE NORTHERLY RIGHT OF WAY LINE OF F.M. 1346 (ST. HEDWIG ROAD);

THENCE, S $62^{\circ} 13' 25''$ W, ALONG THE SAID CUTBACK CORNER, A DISTANCE OF 46.70 FEET, TO A SET $\frac{1}{2}$ INCH IRON ROD LOCATED IN THE NORTHERLY RIGHT OF WAY LINE OF F.M. 1346;

THENCE, ALONG THE NORTHERLY RIGHT OF WAY LINE OF F.M. 1346, THE FOLLOWING COURSES:

WESTERLY, ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1960.08, A CENTRAL ANGLE OF $35^{\circ} 04' 52''$, AN ARC LENGTH OF 1200.11 FEET AND A CHORD BEARING: N $72^{\circ} 25' 20''$ W, 1181.46 FEET, TO A FOUND CONCRETE MONUMENT;

N $89^{\circ} 57' 50''$ W, A DISTANCE OF 1003.71 FEET, TO A FOUND $\frac{1}{2}$ INCH IRON ROD;

N $43^{\circ} 38' 41''$ W, A DISTANCE OF 13.83 FEET, TO A FOUND $\frac{1}{2}$ INCH IRON ROD;

EXHIBIT A

To Ordinance No. _____

Passed on June 29, 2006

N 89° 57' 40" W, A DISTANCE OF 1285.02 FEET, TO A FOUND ½ INCH IRON ROD;
 S 26° 57' 58" W, A DISTANCE OF 11.41 FEET, TO A FOUND ½ INCH IRON ROD;

N 89° 57' 29" W, A DISTANCE OF 791.28 FEET, TO A FOUND ½ INCH IRON ROD MARKING THE SOUTHEASTERLY CORNER OF LOT 3, BLOCK 8, ST. HEDWIG INDUSTRIAL PARK, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 9515, PAGE 190, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS;

THENCE, ALONG THE COMMON BOUNDARY LINES BETWEEN THIS TRACT AND SAID LOT 3, BLOCK 8, THE FOLLOWING COURSES:

N 00° 06' 16" W, A DISTANCE OF 1429.44 FEET, TO A FOUND ½ INCH IRON ROD;

NORTHERLY, ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 430.00, A CENTRAL ANGLE OF 41° 21' 12", AN ARC LENGTH OF 310.35 FEET AND A CHORD BEARING: N 20° 34' 02" E, 303.66 FEET, TO A FOUND ½ INCH IRON ROD;

N 89° 59' 02" W, A DISTANCE OF 711.02 FEET, TO A FOUND ½ INCH IRON ROD LOCATED IN THE EASTERLY LINE OF MARTINDALE AIRFIELD AS DESCRIBED IN VOLUME 2011, PAGE 565, DEED RECORDS OF BEXAR COUNTY, TEXAS;

THENCE, ALONG THE COMMON BOUNDARY LINES BETWEEN THIS TRACT AND THE MARTINDALE AIRFIELD, THE FOLLOWING COURSES:

N 00° 07' 30" W, A DISTANCE OF 430.02 FEET, TO A FOUND ½ INCH IRON ROD;

N 89° 49' 49" E, A DISTANCE OF 399.49 FEET, TO A FOUND ½ INCH IRON ROD;

N 00° 02' 52" W, A DISTANCE OF 2813.76 FEET, TO A FOUND CONCRETE MONUMENT LOCATED IN THE SOUTHERLY LINE OF THAT CERTAIN 25.00 ACRES AS DESCRIBED IN VOLUME 4585, PAGE 486, DEED RECORDS OF BEXAR COUNTY, TEXAS;

THENCE, ALONG THE COMMON LINE BETWEEN TIS TRACT AND THE 25.00 ACRES, THE FOLLOWING COURSES:

N 89° 45' 57" E, A DISTANCE OF 209.60 FEET, TO A SET ½ INCH IRON ROD, WITH BPI CAP;

N 00° 13' 18" W, A DISTANCE OF 1104.73 FEET, TO A FOUND ½ INCH IRON ROD MARKING THE SOUTHWESTERLY CORNER OF THAT CERTAIN 1.00 ACRES AS DESCRIBED IN VOLUME 3376, PAGE 1872, REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS;

THENCE, ALONG THE COMMON BOUNDARY LINES BETWEEN THIS TRACT AND THE 1.00 ACRES, THE FOLLOWING COURSES:

N 70° 07' 28" E, A DISTANCE OF 105.63 FEET, TO A SET ½ INCH IRON ROD, WITH BPI CAP;

N 00° 11' 24" W, A DISTANCE OF 435.31 FEET, TO A SET ½ INCH IRON ROD WITH BPI CAP LOCATED IN THE SOUTHEASTERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY NO. 10 (I.H. 10);

THENCE, ALONG THE ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF I.H. 10, THE FOLLOWING COURSES:

N 70° 02' 00" E, A DISTANCE OF 2961.63 FEET, TO A FOUND CONCRETE MONUMENT;

N 77° 45' 59" E, A DISTANCE OF 406.92 FEET, TO A FOUND ½ INCH IRON ROD MARKING THE NORTHWESTERLY CORNER OF THAT CERTAIN 31.244 ACRES AS DESCRIBED IN VOLUME 7138, PAGE 800, REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS;

THENCE, S 00° 13' 00" E, ALONG THE ALONG THE COMMON BOUNDARY LINES BETWEEN THIS TRACT AND THE 31.244 ACRES, A DISTANCE OF 578.05 FEET, TO A POINT;

THENCE, CROSSING SAID 732.322 ACRES, THE FOLLOWING COURSES:

S 70° 04' 34" W, A DISTANCE OF 729.66 FEET, TO A POINT;

S 19° 50' 21" E, A DISTANCE OF 705.42 FEET, TO A POINT;

S 00° 17' 56" E, A DISTANCE OF 142.11 FEET, TO A POINT;

S 89° 30' 00" E, A DISTANCE OF 1427.26 FEET, TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF FOSTER ROAD;

THENCE, ALONG THE WESTERLY RIGHT OF WAY LINE OF FOSTER ROAD, THE FOLLOWING COURSES:

S 00° 25' 43" E, A DISTANCE OF 999.75 FEET, TO A FOUND ½ INCH IRON ROD;

S 00° 05' 46" E, A DISTANCE OF 841.00 FEET, TO A FOUND ½ INCH IRON ROD;

S 00° 15' 17" E, A DISTANCE OF 290.77 FEET, TO A FOUND ½ INCH IRON ROD;

S 69° 27' 49" W, A DISTANCE OF 3.29 FEET, TO A FOUND ½ INCH IRON ROD;

S 00° 12' 24" E, A DISTANCE OF 184.50 FEET, TO A FOUND ½ INCH IRON ROD;

N 68° 45' 37" E, A DISTANCE OF 3.17 FEET, TO A FOUND ½ INCH IRON ROD;

S 00° 10' 27" E, A DISTANCE OF 1715.50 FEET, TO A SET ½ INCH IRON ROD WITH BPI CAP;

S 00° 01' 29" E, A DISTANCE OF 1006.42 FEET, TO A FOUND ½ INCH IRON ROD;

N 59° 17' 04" W, A DISTANCE OF 3.50 FEET, TO A FOUND ½ INCH IRON ROD;

S 00° 13' 26" E, A DISTANCE OF 92.58 FEET, TO A FOUND ½ INCH IRON ROD;

N 89° 21' 17" E, A DISTANCE OF 3.01 FEET, TO A FOUND ½ INCH IRON ROD;

S 00° 05' 09" E, A DISTANCE OF 742.22 FEET, TO A FOUND ½ INCH IRON ROD;

SOUTHERLY, ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5689.64, A CENTRAL ANGLE OF 02° 19' 11", AN ARC LENGTH OF 230.35 FEET AND A CHORD BEARING:

Z2006157

S 00° 56' 28" W, 230.34 FEET, TO A FOUND ½ INCH IRON ROD;

S 02° 18' 34" W, A DISTANCE OF 224.40 FEET, TO THE POINT OF BEGINNING AND CONTAINING 679.722 ACRES OF LAND MORE OR LESS.

I, JAMES W. RUSSELL, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

BURY & PARTNERS, INC.
ENGINEERS AND SURVEYORS
922 ISOM ROAD, SUITE #100
SAN ANTONIO, TEXAS 78216

James W. Russell 5/16/06

JAMES W. RUSSELL
R.P.L.S #4230
STATE OF TEXAS



CASE NO: Z2006157

Staff and Zoning Commission Recommendation - City Council

Date: June 29, 2006

Zoning Commission Meeting Date: June 20, 2006

Council District: 2

Ferguson Map: 619

Applicant:

Owner

Kaufman & Associates, Inc.

Rosillo Creek Development, Ltd.

Zoning Request:

From "C-3" General Commercial District, "C-2" Commercial District, "R-5" Residential Single Family District and "MF-33" Multi Family District to "UD" Urban District

679.722 acres out of NCB 5098

Property Location:

Southwest corner of IH 10 and Foster Road

Proposal:

To allow development of a mixed use project.

Neighborhood Association:

Neighborhood Plan:

IH 10 East Corridor

Traffic Impact Analysis:

A Traffic Impact Analysis is not required, TIA # 20040439 has been submitted and reviewed

Staff Recommendation:

Consistent.

The IH-10 East Corridor Plan designates this area as mixed use and a potential Tax Increment Financing project.

Approval. The subject property was rezoned to the current zoning December 9, 2004. The IH-10 East Corridor Plan also was amended at City Council December 9, 2004 to expand the mixed-use area. The proposed UD is an appropriate zoning district, which will provide flexibility in the development of the property. The UD district will allow the single-family, multi-family and commercial uses utilizing a form-based code.

Zoning Commission Recommendation:

VOTE

| | |
|----------------|---|
| FOR | 0 |
| AGAINST | 0 |
| ABSTAIN | 0 |
| RECUSAL | 0 |

CASE MANAGER : Richard A. Ramirez 207-5018

Neighborhood and Urban Design Division

Zoning Case Review

Zoning Case No.: Z2006157

Existing Zoning: R-4, R-5, C-2, C-3

Requested Zoning: UD

Registered Neighborhood Association(s):

Neighborhood/Community/Perimeter Plan:

IH10 E. Corridor

Future Land Use for the site:

Mixed Use – allows for a variety of uses (residential, office, retail)

Other Comments:

The plan designated this area adjacent to Rosillo Creek as mixed use and a potential Tax Increment Financing project. The purpose of the mixed use development is to provide a variety of housing options (p. 31). The plan was amended by City Council on December 9, 2004 in PA04030 to expand the mixed use area to accommodate the proposed development. UD is an appropriate zoning district as it provides for a mix of single family, multi-family and commercial uses utilizing a form-based code.

Analysis:

☒ Request conforms to Land Use Plan

☐ Request does not conform to Land Use Plan

Staff Recommendation:

☒ Approval

☐ Denial

☐ Alternate Recommendation

Reviewer: Nina Nixon-Mendez

Title: Planning Manager

Date: 6/15/06

Z2006157

This case is scheduled to be heard before Zoning Commission on June 20, 2006, therefore no minutes are available at this time.

